

**Notice of Allowability**

Application No.

09/731,969

Examiner

Anand Bhatnagar

Applicant(s)

LOUSSOUARN ET AL.

Art Unit

2623

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/13/05.
2. ☒ The allowed claim(s) is/are 1,2 and 4-32.
3. ☒ The drawings filed on 08 December 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 06/13/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

1. Applicant has amended claims 1, 2, and 4-12. Applicant has canceled claim 3. Applicant has added 15 new claims (#18-32). Currently claims 1, 2, and 4-32 are pending.
2. Applicant is correct in that claims 3-5 and 7-19 were meant to be objected to and not meant to be grouped together in the 35 USC 103(a) rejection.
3. Claims 1, 2, and 4-32 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter:

The following is an examiner's statement of reasons for allowance: the prior art does not anticipate, nor does it suggest, the combination as now claimed in the claims. Specifically, claims 1 and 12 recite a combination of elements, including specifics of a "the second processing means comprising a means for applying to each observed hair a duration of continuation in its prevailing phase, on the basis of a distribution of phase durations and a random number," that, in combination with the other claim limitations. Regarding claim 18: The closest prior art of Courtois et al. (M.courtois, G. Loussouran, S. Hourseau, and J.F. Grollier-, British Journal of Dermatology, "Periodicity in the growth and shedding of hair," Volume 134, pages 47-54) discloses to simulate/quantify the hair loss based on studying the amount of hairs in the different stages of the growth cycles on different individuals. Courtois does not disclose, regarding claim 18, the

feature of "a second digital data processing means capable of simulating the evolution of the said hair region as a function of the data emanating from the first digital data processing means, the second processing means comprising a means for estimating the number of cycles  $n_{sub\ c}$  performed by an observed hair, and for comparing it with a predetermined maximum number of cycles  $N_k$ , a cycle being defined by successive passage through the three states, anagen, telogen and disappeared," that, in combination with the other claim limitations. Regarding claim 27 for the similar limitation as claim 18.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Contact Information**

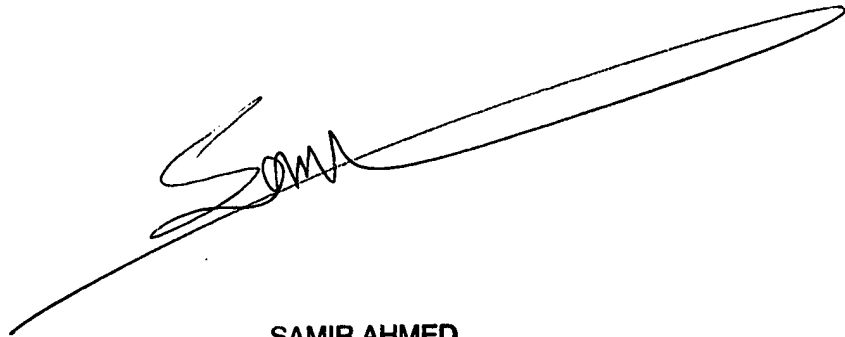
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anand Bhatnagar whose telephone number is (571) 272-7416, whose supervisor is Amelia Au whose number is (571) 272-7414, Central fax is 571-273-8300, and Tech center 2600 customer service office number is 703-306-0377.

AB

Anand Bhatnagar

Art Unit 2623

July 22, 2005

A handwritten signature in black ink, appearing to read 'SAMIR AHMED', with a long, sweeping horizontal stroke extending to the right.

**SAMIR AHMED  
PRIMARY EXAMINER**